

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE ACLARIS THERAPEUTICS, INC.
DERIVATIVE LITIGATION

Lead Case No. 1:19-cv-10641-LJL

**PLAINTIFFS' NOTICE OF MOTION AND MOTION FOR
FINAL APPROVAL OF SETTLEMENT**

PLEASE TAKE NOTICE that on November 30, 2021, at 11:00 a.m., or as soon thereafter as the matter may be heard before the Honorable Lewis J. Liman of the United States District Court for the Southern District of New York, located at 500 Pearl Street, New York, NY 10007, Plaintiffs Keith Allred and Bruce Brown ("Derivative Plaintiffs") by and through their undersigned counsel, will, and hereby do, move the Court for entry of an order providing for: (1) final approval of the Settlement set forth in the Stipulation and Agreement of Settlement, dated July 29, 2021 ("Stipulation"),¹ (2) entry of the [Proposed] Order and Final Judgment, submitted herewith, and the dismissal of all claims; (3) an award of the agreed-upon negotiated attorneys' fees and reimbursement of expenses to Plaintiffs' Counsel to be paid by Defendants' insurer; (4) Service Awards of \$1,500 to each of the three Plaintiffs; and (5) such other relief as the Court deems just and proper.

In support of this motion, Derivative Plaintiffs rely upon the accompanying Memorandum of Law, the three declarations of Plaintiffs' Counsel (of Timothy Brown, Phillip Kim, and Kevin A. Seely), the Stipulation and exhibits annexed thereto, all prior pleadings and proceedings, and such additional evidence or argument as may be required by the Court.

¹ All capitalized terms contained herein shall have the same meanings as set forth in the Stipulation and Agreement of Settlement dated July 29, 2021, which was filed with the Court together with its exhibits on July 30, 2021 (Dkt. No. 25-1).

Dated: November 9, 2021

Respectfully submitted,

THE ROSEN LAW FIRM, P.A.

By: /s/ Phillip Kim

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Co-Lead Counsel for Derivative Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on November 9, 2021, a true and correct copy of the foregoing document was served by CM/ECF to the parties registered to the Court's CM/ECF system.

/s/ Phillip Kim
Phillip Kim